Kolar District.—There were a few showers of rain in some parts of the district during the week. The raiyats are anxiously waiting for more rain to prepare the lands for dry crops. The *Vaisakhi* paddy is being briskly harvested.

Burma rice is being sold in all the Taluk Grain Depots, though in small quantities. All the Depots have sufficient stocks.

Local rice continues to be sold at 4 to 4½ seers and ragi at 7 to 7½ seers a rupee.

Hassan District.—*Santes* were generally well supplied with food grains.

Standing crops such as *Kar* paddy, sugar-cane are in good condition. The former crop is being reaped in parts of Arsikere Taluk. Gidda ragi crop is in a good condition.

Prices of food grains are still high.

There was good rainfall during the week under report and the sowing operations are nearing completion.

The prospects of the season are generally good for the present. More rain is wanted. Monsoon has set in, in Malnad.

Shimoga District.—There is no change in the food situation.

There was rain all over the district and sowing operations are in full swing.

Kadur District.—The staple food grains were available in all the markets in sufficient quantities, but their prices continued to be the same as in the previous week.

There were good showers of rain all over the district, and the agricultural operations are in progress.

Chitaldrug District.—Except in Davangere and Harihar where it gauged 55 and 72 cents respectively, there was no rainfall in the district during the week under report. The price of Challakere rice has fallen by one rupee a palla while those of other food grains remain the same.

The demand for Burma rice is going down.

General (by Food Controller).—The Districts of Hassan, Kadur and Shimoga have had good rain, while the others had only slight rainfall here and there. More rain is urgently required in these districts. In the Hassan and Bangalore Districts, standing crops, such as *Kar* paddy and gidda ragi, are reported to be in good condition; in the Kolar District the harvesting of *Vaisakhi* paddy is going on.

The markets are reported to be well supplied. The flow of ragi into the Bangalore City Market has been more than in the last week; the price has gone up to nearly Rs. 88 per cart load. The price of Challakere rice has gone down by a rupee per palla in the Chitaldrug District. Elsewhere prices are fairly stationary. Burma rice is being sold in small quantities in the Districts of Chitaldrug, Kolar, Bangalore and Tumkur. In the Bangalore and Mysore Cities, the demand for Burma rice continues to be steady, while in the Civil and Military Station of Bangalore it is increasing. The demand for Burma whole rice and broken rice is great on the Kolar Gold Field.

C. S. BALASUNDARAM IYER,
Chief Secretary to Government.

Rules for the payment of expenses of complainants and witnesses attending Criminal Courts.

ORDER NO. G. 27665—CTS. 258-19-2, DATED 17TH JUNE 1920.

Government direct that the Proceedings of the Madras Government Home Department (Judicial) Government Order No. 930, dated 8th April 1920, be printed as an annexure to this order and communicated to the Heads of Departments, the Deputy Commissioners o Districts and the Registrar of the Chief Court.

C. S. BALASUNDARAM IYER,
Chief Secretary to Government.

GOVERNMENT OF MADRAS.

HOME DEPARTMENT (JUDICIAL).

G. O. No. 930, dated 8th April 1920.

Rules for the payment of expenses of complainants and witnesses attending Criminal Courts.

Issuing certain amendments to the—

ORDER NO. 930, HOME (JUDICIAL), DATED 8TH APRIL 1920.

The Government have entered into a reciprocal arrangement for a period of three years with His Exalted Highness the Nizam's Government under which officials of the one Government appearing as witnesses before criminal courts of the other will be paid travelling

allowance at its own rates by the Government under which they are serving on production of certificates of attendance issued by the courts before which the officials appear as witnesses.

2. The following amendments will be made to the rules for the payment of expenses of complainants and witnesses attending criminal courts :—

Omit the word "Hyderabad" occurring in note 1 to rules 13 and 17 of the rules for the payment of expenses of complainants and witnesses attending criminal courts in the Presidency of Madras outside the Presidency town and in the city of Madras respectively, and add the following to the rules :—

"Officials of either the Madras Government or the Government of His Exalted Highness the Nizam appearing as witnesses before the criminal courts of the other will be paid travelling allowance at its own rates by the Government under which they are serving on production of certificates of attendance issued by the courts before which they appear as witnesses."

3. The statutory rules for the payment of expenses of complainants and witnesses attending criminal courts in the Madras Presidency as revised up to date are printed as an annexure to these proceedings and will be published in the *Fort St. George Gazette*.

(True extract.)

R. RAMACHANDRA RAO,
Secretary to Government.

To the Hon'ble the Chief Justice (with C. L.).
" all Sessions Judges.
" all District Magistrates.
" the Resident in Travancore and Cochin.
" the Political Agent, Pudukkottai.
" " " Banganapalle.
" " " Sandur.
" the Accountant-General (through Financial).
" the Chief Commissioner of Coorg (with C. L.).
" the Chief Presidency Magistrate.
" the Commissioner of Police.
" General Officer Commanding, 9th (Secunderabad) Division (with C. L.).
" the Hon'ble the Resident in Mysore (with C. L.).
" the Agent to the Governor in Ganjam.
" " " Vizagapatam.
" the Government Agent, Godavari.
" the Local and Municipal (Legislative) Department.
" the Superintendent, Government Press, for publication of annexure in the Gazette
" the Financial Department.
" the Public (Political) Department.
Copy to Publicity Officer.

ANNEXURE.

NOTIFICATIONS.

I

Rules for the payment of the expenses of complainants and witnesses attending criminal courts in the City of Madras.

Under section 544 of the Code of Criminal Procedure, the Governor in Council, with the previous sanction of the Governor-General in Council, is pleased to make the following revised rules for regulating the payment, on the part of Government, of the expenses of witnesses (including complainants) attending the criminal courts in the City of Madras :—

1. Subject to the provisions hereinafter contained, the expenses of witnesses will be paid on behalf of Government in the following classes of cases, *viz.* :—

(*a*) Cases shown in the second schedule of the Code of Criminal Procedure as not bailable.

(*b*) Cases in which the prosecution is instituted or carried on under the orders or with the sanction of the Governor in Council or of any public servants acting as such.

(*c*) Where the witness in question has been compelled to attend by a process issued under section 540 of the Code.

(*d*) Cases in which the court certifies that the attendance of such witness was directly in furtherance of the interests of public justice.

2. (1) For the purposes of these rules, Europeans, Eurasians and Indians shall be divided into three classes, and the Magistrate before whom they are required to appear, or the Commissioner of Police or in the case of witnesses from the mufassal, the Magistrate of the district from which they come shall fix the class with due regard to the station in life of each individual.

(2) For the purposes of this rule, the Magistrate of the district may delegate his powers to any subordinate Magistrate.

3. The following are the maximum rates which may be awarded to the several classes of witnesses, and no expenses in excess of, or other than, those here provided for shall be allowed :—

Witness	Class	Subsistence allowance	Carriage-hire allowable for days of actual attendance	Travelling expenses, if any, incurred			
				By rail	By a public motor service	By road otherwise than by public motor service	By sea or canal
Europeans and Eurasians	1st class	5 rupees per day	3 rupees per day	1st class fare.	1st class fare.	8 annas per mile	Actual expenses of passage
	2nd "	3 " "	2 " "	2nd class fare.	2nd class fare.	6 " "	
	3rd "	1½ " "	1 rupee "	3rd class fare.	3rd class fare.	4 " "	
Indians	1st "	2 " "	2 rupees "	1st class fare.	1st class fare.	6 " "	
	2nd "	1 rupee "	1 rupee "	2nd class fare.	2nd class fare.	2 " "	
	3rd "	5 annas "	Nil.	3rd class fare.	3rd class fare.	2 annas per 10 miles	

* If there are only two classes the first and second class witnesses will be paid the higher class fare and 3rd class witnesses the lower class fare.

4. All disbursements under these rules shall be made by the Commissioner of Police, to whom witnesses coming from the mufassal should report themselves on arrival at Madras.

5. Witnesses resident in the Presidency town will be entitled only to such actual expenses as they may show to the satisfaction of the Commissioner of Police that they have been obliged to incur in obedience to the process or order of the courts.

6. Witnesses sent from the mufassal will be furnished with a certificate by the despatching Magistrate showing the class to which they belong, the date of their departure, and the correct distances (if any) to be travelled by road; and unless such certificate is produced before the Commissioner of Police, that officer may disallow all or any of the expenses claimed.

7. Mofassal Magistrates may make reasonable advances to witnesses summoned by the High Court or Presidency Magistrates and requiring such advances to enable them to reach Madras, but shall in every such case note the same on the certificate referred to in rule 6. The Commissioner of Police should also be advised of such advances, and he will refund the amount to the officer making the advance.

8. Whenever it is practicable for witnesses to travel by rail or steamer, they shall be allowed no more than the rates prescribed for those modes of conveyance.

9. Subsistence allowance may be paid for the days occupied in travelling to Madras as well as in the return journey. The subsistence allowance at Madras will cease as soon after the conclusion of the inquiry or trial as the means of quitting the town become available.

10. The expenses of witnesses will be paid on production of a certificate signed by the presiding Magistrate or in the case of the High Court by the Clerk of the Crown setting forth the inquiry or trial in which their attendance was required and the days on which they attended.

11. It shall be competent to the court before which a witness appears to disallow payment of any expenses on behalf of Government if for any cause such Court thinks fit to do so.

12. The Commissioner of Police will disallow the whole or part of the expenses of any witness for the defence whose evidence may not seem to him to have been material, unless he is satisfied that such witness has been brought down to Madras against his will and that no compensation for his expenses has been paid or deposited by the defendant. This power does not extend to the case of a witness who has been examined and certified by the court or Magistrate to have been material.

13. In applying the foregoing rules to public servants to whom the Civil Service Regulations are applicable the following additional rules shall be observed :—

(1) When a public servant appears in any case under rule 1, to give evidence in his official capacity that is, evidence of facts within his knowledge as an official, no payment shall

be made to him, but the court will give him a certificate setting forth that he appeared to give evidence of what had come to his knowledge, or of matters with which he had to deal, in his official capacity, the dates on which he appeared and the period for which he was detained, so as to enable him to draw travelling allowance and batta under Article 1133 of the Civil Service Regulations.

Exceptions.—(*a*) In cases in which a public servant has to give evidence at a court situate not more than five miles from his headquarters, the court is authorized, where it considers it necessary, to pay him the actual travelling expenses incurred.

(*b*) In cases in which the salary of the public servant summoned does not exceed Rs. 10 per mensem, the court itself is authorized to pay his expenses.

(2) When a public servant appears in his official capacity as a witness in a case which does not come under rule (1), *e.g.*, in a case in which section 244 (3) or 257, Code of Criminal Procedure, is applied the party at whose instance he is summoned shall prepay into court the travelling and halting allowances admissible to him under the Civil Service Regulations. The amount so prepaid shall be credited to Government but the court shall give the witness a certificate containing the particulars specified in rule (1) *supra* so as to enable him to draw the travelling and halting allowances admissible under Article 1133 of the Civil Service Regulations. When a public servant appears to give evidence in any case as a private person, travelling allowance and batta may be paid to him in the ordinary manner, but the court shall send an advice of all such payments made to him to the head of the office in which he is employed. In this advice the amount paid as batta and the period during which the attendance of the witness in court was necessary shall be stated.

(3) When an official of the Court of Wards appears in his official capacity as a witness in a case connected with an estate under the superintendence of the Court of Wards, the Judge or Magistrate before whom the trial takes place will furnish such official with a certificate showing the days on which he attended to give evidence and the amount of batta and travelling allowance paid to him on that account.

(4) When a public servant whose emoluments are governed by the Army Regulations, India, appears in any case under rule 1 to give evidence in his official capacity, he shall be paid the travelling allowance and batta admissible under these rules, and shall be furnished with a certificate showing in detail the amount paid. If the amount paid is less than the amount admissible to him under the military rules to which he is subject, the difference will be paid to him by the military authorities on production of the certificate.

14. Medical subordinates in Local Fund or Municipal employ (including Government servants lent to, and paid by, local bodies) when attending court to give evidence in their public capacity shall be paid the same rates of travelling allowance and batta as would be admissible to Government servants of similar grades under the Civil Service Regulations.

15. Subjects of the French Government who are in the official employ of that Government in the French Dependencies in India appearing as witnesses before criminal courts in Madras City may, if such claim be made, be paid their expenses at the rates to which they are entitled under the Regulations of their own Government in like case. Magistrates are required to refer any claim under this rule for scrutiny to the Collector of South Arcot, who is the special Political Agent for the French Dependencies in India.

16. Officials of the Government of Ceylon appearing as witnesses before courts in Madras City may, if such claim be made, be paid their expenses at the rates to which they are entitled under the Regulations of their own Government in like case. The claim should be submitted through the head of the department to which the official belongs.

17. Officials of the Mysore Durbar appearing as witnesses in their official capacity before courts in Madras City may, if such claim be made, be paid their expenses at the rates at which they would be entitled under the Regulations of their own Government. This arrangement may be extended by the Government to other Native States which have agreed to pay the expenses of British official witnesses from the Madras Presidency appearing in their courts on the same scale as that admissible to them under the Regulations of the Madras Government.

NOTE (1).—The above arrangement has been extended to the Pudukkottai, Travancore and Cochin States.

NOTE (2).—The above arrangement with the Mysore Durbar has been extended to the Sandur State [*vide* Home (Judicial) Department Notification No. 664, dated 18th September 1918, published at page 991 of Part I of the *Fort St. George Gazette*, dated 1st October 1918].

Officials of either the Madras Government or the Government of His Exalted Highness the Nizam appearing as witnesses before the criminal courts of the other will be paid travelling allowance at its own rates by the Government under which they are serving on production of certificates of attendance issued by the courts before which they appear as witnesses.

II

Rules for the payment of the expenses of complainants and witnesses attending criminal courts in the Madras Presidency outside the Presidency town.

Under section 544 of the Code of Criminal Procedure, the Governor in Council, with the previous sanction of the Governor-General in Council, is pleased to make the following revised rules for regulating the payment, on the part of Government, of the expenses of witnesses (including complainants) attending criminal courts in the Madras Presidency other than those of the City of Madras.

1. The criminal courts are authorized to pay, at the rates specified in rule 4, the expenses of complainants and witnesses in cases in which the prosecution is instituted or carried on by, or under the orders, or with the sanction of the Government, or of any Judge, Magistrate or other public officer, or when it shall appear to the Judge or Magistrate presiding over such court to be directly in furtherance of the interest of public justice; also in cases entered in column 5 of Schedule II appended to the Code of Criminal Procedure as not bailable; and in all cases in which the witnesses are compelled to attend by a Magistrate under the provisions of Chapter XLVI of the Code.

The courts may make reasonable advances to witnesses compelled to attend to give evidence when such prepayment is considered necessary.

2. (1) For the purpose of these rules witnesses are divided into two classes, namely, of officials and non-officials. Official witnesses, that is to say, public servants to whom the Civil Service Regulations are applicable summoned to give evidence as officials, are entitled to receive for their journeys to and from the court and for the days spent by them in attendance at the court to give evidence in cases coming under rule 1, travelling allowances at the rates prescribed by the Civil Service Regulations for the time being in force. The court shall not, however, make any payment to official witnesses in such cases, but shall grant them certificates setting forth that they appeared to give evidence of what had come to their knowledge, or of matters with which they had to deal, in their official capacity, the date on which they appeared and the period for which they are detained, so as to enable them to draw travelling allowance and batta under article 1133 of the Civil Service Regulations.

Exceptions.—(*a*) In cases in which a public servant has to give evidence at a court situate not more than five miles from his headquarters, the court is authorized, where it considers it necessary, to pay him the actual travelling expenses incurred.

(*b*) In cases in which the salary of the public servant summoned does not exceed Rs. 10 per mensem, the court itself is authorized to pay his expenses.

(2) When a public servant appears in his official capacity as a witness in other cases [*e.g.*, in cases in which section 244 (3) or 257, Code of Criminal Procedure, is applied], the party at whose instance he is summoned shall prepay into court the travelling and halting allowances admissible to him under the Civil Service Regulations. The amount so prepaid shall be credited to Government, but the court shall give the witness a certificate containing the particulars specified in rule (1) *supra* so as to enable him to draw the travelling and halting allowances admissible under article 1133 of the Civil Service Regulations. When a public servant appears to give evidence in any case as a private person, travelling allowance and batta may be paid to him in the ordinary manner, but the court shall send an advice of all such payments made to him to the head of the office in which he is employed. In this advice the amount paid as batta and the period during which the attendance of the witness in court was necessary shall be stated.

(3) When an official of the Court of Wards appears in his official capacity as a witness in a case connected with an estate under the superintendence of the Court of Wards, the Judge or Magistrate before whom the trial takes place will furnish such official with a certificate showing the days on which he attended to give evidence and the amount of batta and travelling allowance paid to him on that account.

(4) When a public servant whose emoluments are governed by the Army Regulations, India, appears in any case under rule 1 to give evidence in his official capacity, he shall be paid the travelling allowance and batta admissible under these rules, and shall be furnished with a certificate showing in detail the amount paid. If the amount paid is less than the amount admissible under the military rules to which he is subject, the difference will be paid to him by the military authorities on production of the certificate.

3. Medical subordinates in Local Fund or Municipal employ (including Government servants lent to and paid by local bodies) when attending court to give evidence in their public capacity shall be paid the same rates of travelling allowance and batta as would be admissible to Government servants of similar grades under the Civil Service Regulations.

4. Non-official witnesses are entitled to travelling allowance under two different scales as shown below according as they are (1) Europeans or Eurasians, or (2) Indians. Persons falling under either of these descriptions are, for the purposes of these rules, divided into

three classes; and the Judge or Magistrate before whom they are required to appear either as complainants or as witnesses shall be careful to fix the class with due regard to the station in life which they occupy—

	Europeans and Eurasians			Indians		
	First class	Second class	Third class	First class	Second class	Third class
Travelling allowance.						
By rail	First class fare	Second class fare.	Third class fare	First class fare	Second class fare.	Third class fare
* By a public motor service.	Do	Do	Do	Do	Do	Do
By road, otherwise than by public motor service.	As. 8 per mile	As. 4 per mile	As. 2 per mile	As. 6 per mile	As. 2 per mile	3 pies per mile
By sea or canal	Actual expenses of passages			Actual expenses of passage		
Batta not to exceed	Rs. 3 per diem	Re. 1 per diem	As. 8 per diem	Re. 1 per diem	As. 8 per diem	As. 4 per diem

* If there are only two classes, the first and second class witnesses will be paid the higher class fare and the third class the lower class fare.

5. In cases within rule 1, the Commissioner of Police may make reasonable advances to witnesses resident in the city of Madras who are summoned by a criminal court in the mufassal and who require the advances to enable them to reach the court. The court issuing the summons, on being advised by the Commissioner of Police of the advances made, will refund the amount to him.

6. The distance for which mileage and the number of days for which batta should be allowed for the journey to and from the station at which the court is held and for attendance at court shall be determined by the Judge or Magistrate ordering the payment in each case.

7. All bills for travelling allowance and batta to complainants and witnesses attending before the courts of magistrate of the second and the third classes shall be scrutinized by the magistrate of the division in which such courts are situated before the charges included in them are finally passed.

8. Whenever a magistrate dismisses a case as frivolous or vexatious under section 250 of the Code of Criminal Procedure, no travelling allowance or batta shall be granted to the complainant in such case.

9. The criminal courts are authorized to pay the necessary and actual expenses of carriage to a witness travelling by road, in the case of persons whose sickness, age, position or habits of life render it impossible for them to walk, provided the expense incurred under this rule shall in no case exceed As. 8 a mile.

10. To Indians and Europeans graded in the first class of non-officials, there may also be allowed the actual cost of carriage-hire to and from court on the days of attendance at court.

11. Subjects of the French Government who are in the official employ of that Government in the French Dependencies in India appearing as witnesses before criminal courts in the Madras Presidency may, if such claim be made, be paid their expenses at the rates to which they are entitled under the Regulations of their own Government in like case. Magistrates are required to refer any doubtful claim for scrutiny to the Collector of South Arcot who is the Special Political Agent for the French Dependencies in India.

12. Officials of the Government of Ceylon appearing as witnesses before criminal courts in the Madras Presidency may, if such claim be made, be paid their expenses at the rates to which they are entitled under the Regulations of their own Government in like case. The claim should be submitted through the head of the department to which the official belongs.

13. Officials of the Mysore Darbar appearing as witnesses in their official capacity before courts in the Madras Presidency may, if such claim be made, be paid their expenses at the rates at which they would be entitled under the Regulations of their own Government. This arrangement may be extended by the Government to other Native States which have agreed to pay the expenses of British official witnesses from the Madras Presidency appearing in their courts on the same scale as that admissible to them under the Regulations of the Madras Government.

NOTE (1).—The above arrangement has been extended to the Pudukkottai, Travancore and Cochin States.

NOTE (2).—The above arrangement with the Mysore Darbar has been extended to the Sandur State [*vide* Home Judicial) Department notification No. 664, dated 18th September 1918, published at page 931 of Part I of the *Fort St. George Gazette*, dated 1st October 1918].

Officials of either the Madras Government or the Government of His Exalted Highness the Nizam appearing as witnesses before the criminal courts of the other will be paid travelling allowance at its own rates by the Government under which they are serving on production of certificates of attendance issued by the courts before which they appear as witnesses.

Provident Fund Rules.

ORDER NO. FL. 9036-85—G.F. 154-19-6, DATED 17TH JUNE 1920.

To bring Rule 9 relating to the Provident Fund Rules in conformity with the Provident Fund Regulation and to provide for cases of nomination being validly made in favour of persons other than the widow and the children of a subscriber, Government are pleased to amend the existing Rule 9 (2) of the Provident Fund as follows:—

Rule 9.—(2) In the event of an officer's death before retirement, or after retirement, but before the money has been handed over:—

(*a*) it will be divided between his widow or widows and children in accordance with any request that he may have submitted, in the prescribed form, which request must state the person to whom sums intended for the benefit of minors are to be paid, or it will be handed to such trustees as the subscriber may appoint by will to administer, for the benefit of his widow or widows and children, the funds standing at his credit at the time of his death,

(*b*) failing such a request it will be divided in equal shares between his widow or widows and children, to the exclusion of adult sons and of married daughters whose husbands are alive, any sum due to a minor being paid to the minor's legal guardian to be used for the minor's benefit or failing a legal guardian, to any person who, in the opinion of the officer whose duty it is to make payment, is entitled to receive it on the minor' behalf, (*c*) failing a widow and children entitled to participate under (*b*) it will be distributed among other persons in accordance with any request submitted by the subscriber in the prescribed form, and (*d*) if no such request has been submitted, it will be paid to the legal representative of the estate as determined by a Civil Court having competence to pass orders in this respect: provided that, if the sum remaining at the credit of the depositor does not exceed Rs. 1,000 it may be paid to such person or persons as the officer making the payment considers to be entitled thereto.

Note.—1.—A husband may be permitted to make a special application for the exclusion of his wife from the benefits of the fund, if she has been judicially separated from him. In the absence of such an application the widow should be treated like an ordinary widow and the sum at the credit of her husband should be divided in accordance with the provisions of Rule 9 (2) (*b*).

Note.—2.—In all cases where a request is submitted under clause (*c*) above, the subscriber should be called upon to state whether he has a wife or children and if it happens that he has a wife (not separated) or children, a request under clause (*c*) should not be entertained.

Note.—3.—Government will not be bound by, or recognise, any assignment or encumbrance executed or attempted to be created by any officer during his service, but will recognise to the extent shown in clause (2) (*a*) above any arrangement which a subscriber may make for the disposal by will of the funds standing at his credit.

M. N. KRISHNA RAO,
Financial Secretary to Government.

To—The Comptroller, Mysore Government.
The other Heads of Departments.
The Deputy Commissioners of Districts.
PRESS TABLE.

Grant of Grain Compensation Allowance.

READ—

Government Order No. Fl. 100-49—G. F. 5-18-1, dated the 9th July 1918, sanctioning rules for the grant of grain compensation as per scale given in Article 72, Civil Account Code, Volume I, ragi being considered as the staple food grain and the taluk the unit.

2. Government Order No. Fl. 2047-96—G. F. 5-18-29, dated the 23rd October 1918, sanctioning rules for the grant of compensation for dearness irrespective of the price of any particular grain or commodity in the two Cities of Bangalore and Mysore.

ORDER NO. FL. 9233-82—G. F. 5-19-20, DATED 21ST JUNE 1920.

In accordance with the orders read above, the grant of grain compensation allowance is sanctioned for the month of June 1920, to the employees in the two cities of Bangalore